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### MINISTRY OF HOME AFFAIRS

#### NOTIFICATION

*New Delhi, the 18th August 1958*

#### THE ALL INDIA SERVICES (DEATH-CUM-RETIREMENT BENEFITS) RULES, 1958

**G.S.R. 728.**—In exercise of the powers conferred by sub-section (1) of section 3 of the All India Services Act, 1951 (61 of 1951), the Central Government, after consultation with the Governments of the States concerned, hereby makes the following rules, namely:—

**1. Short title and application.**—(1) These rules may be called the All India Services (Death Cum Retirement Benefits) Rules, 1958.

(2) (a) Subject to the provisions of clause (b) of this sub-rule, they shall apply to all persons who retired from the Service on or after the 29th October, 1951.

(b) They do not apply to—

- (i) those who became members of the Service in accordance with clauses (a), (b) and (c) of the Indian Administrative Service (Recruitment) Rules, 1954 and such of those who being members of the Service in accordance with clause (a) of rule 3 of the Indian Police Service (Recruitment) Rules, 1954 did not opt for the Liberalized Pension Rules, as applicable to officers of the Central Services, Class I;
- (ii) those members of the Service who would have been confirmed prior to the 21st October, 1946 in the listed posts in the Indian Civil Service or in the Indian Police but for the ban on such confirmation;
- (iii) those members of the Service who were promoted to the Service from the State Services under the Indian Administrative Service (Extension to States) Scheme or the Indian Police Service (Extension to States) Scheme and who under orders issued by the Central Government before the coming into force of these rules were given an option in the matter of pension rules by which they would be governed and who in exercise of that option, chose to be governed by the Superior Civil Services Rules and the Civil Service Regulations, or the pension rules of the State concerned, as the case may be.

**2. Definitions.**—(1) In these rules, unless the context otherwise requires;—

- (a) "Accounts Officer" means such officer as may be appointed by the Comptroller and Auditor General of India;

- (b) "death *cum* retirement gratuity" means the lump sum granted to a member of the Service or his family in accordance with rule 19;
- (c) "gratuity" means the lump sum specified in Schedule A which may be granted to a person retiring from the Service before completion of 10 years of qualifying service;
- (d) "leave rules" means the All India Services (Leave) Rules, 1955;
- (e) "leave with allowances" means leave other than extraordinary leave and includes earned leave in excess of 120 days where one spell of earned leave exceeds 120 days.
- (f) "member of the Service" means a member of the Indian Administrative Service or the Indian Police Service, as the case may be;
- (g) "pay" means the monthly substantive pay;
- (h) "pension" means the amount payable monthly under rule 18 to a person who has retired from the Service, in recognition of the services rendered by him to Government;
- (i) "personal pay" means additional pay granted to a member of the Service in exceptional circumstances, on personal considerations;
- (j) "retirement benefits" includes pension or gratuity and death-*cum*-retirement gratuity where admissible;
- (k) "schedule" means a Schedule to these rules;
- (l) "special pay" means an addition of the nature of pay to the emoluments of a post or of a member of the Service granted in consideration of—
  - (i) the specially arduous nature of the duties; or
  - (ii) a specific addition to the work or responsibility or
  - (iii) the unhealthiness of the locality in which the work is performed;
- (m) "State Government" means the State Government on whose cadre the member of the Service was borne immediately before retirement or death.

(2) All words and expressions used in these rules and not defined therein but defined in the Pensions Act, 1871 (23 of 1871) or the General Clauses Act, 1897 (10 of 1897), or in the Leave Rules shall have the meanings respectively assigned to them in the said Acts or in the said Rules.

**3. General Conditions.**—(1) Future good conduct of the pensioner is an implied condition of every grant of pension and its continuance.

(2) The Central Government may withhold or withdraw any pension or any part of it, for a specified period or indefinitely, on a reference from the State Government concerned, if after retirement a pensioner is convicted of a serious crime or be guilty of grave misconduct.

(3) The decision of the Central Government on any question of withholding or withdrawing the whole or any part of the pension under sub-rule (2) shall be final.

**4. Limitation.**—A member of the Service cannot earn two pensions in the same office at the same time, or by the same continuous service.

**5. Removal, Dismissal or Resignation from Service.**—(1) No retirement benefits may be granted to a person who has been dismissed or removed from the Service or who has resigned from the Service:

Provided that, if the circumstances of the case so warrant, the State Government may grant to a person who has been dismissed or removed from the Service a compassionate allowance not exceeding two thirds of the retirement benefits which would have been admissible to him if he had been invalided and not dismissed or removed from the Service.

(2) Where a member of the Service is required to retire or resign from the Service as a condition of his appointment under a statutory or other body, he shall be granted the retirement benefits to which he would have been entitled if he had been invalided from the Service and not resigned or retired.

**6. Recovery from Pension.**—The Central Government reserves to itself the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period, and the right of ordering the recovery from pension of the whole or part of any pecuniary loss caused to the Central or a State Government, if the pensioner is found in departmental or judicial proceedings to have been guilty of grave misconduct, or to have caused pecuniary loss to the Central or a State Government by misconduct or negligence, during his service, including service rendered on re-employment after retirement:

Provided that—

- (a) such departmental proceedings, if not instituted while the pensioner was on duty either before retirement or during re-employment,—
  - (i) shall not be instituted save with the sanction of the Central Government;
  - (ii) shall be in respect of an event which took place not more than four years before the institution of such proceedings; and
  - (iii) shall be conducted by such authority and in such place or places as the Central Government may direct and in accordance with the procedure applicable to proceedings on which an order of dismissal from service may be made; and
- (b) such judicial proceedings, if not instituted while the pensioner was on duty either before retirement or during re-employment, shall have been instituted in accordance with sub-clause (ii) of clause (a);

*Explanation.*—For the purposes of this rule—

- (a) departmental proceedings shall be deemed to have been instituted when the charges framed against the pensioner are issued to him or, if the officer has been placed under suspension from an earlier date, on such date; and
- (b) judicial proceedings shall be deemed to have been instituted—
  - (i) in the case of criminal proceedings, on the date on which a complaint is made or a charge-sheet is submitted, to the criminal court; and
  - (ii) in the case of civil proceedings, on the date on which the plaint is presented or, as the case may be, an application is made, to a civil court.

**7. Compulsory Retirement as a Measure of Penalty.**—(1) A member of the Service who as a measure of penalty is compulsorily retired from the Service by the Central Government in accordance with the provisions of the All India Services (Discipline and Appeal) Rules, 1955, may be granted retirement benefits on the basis of his qualifying service on the date of such compulsory retirement on the appropriate scales indicated in Schedules 'A' and 'B'.

(2) If a member of the Service compulsorily retired from the Service dies within 5 years of such retirement, his family as defined in rule 21 may be granted a family pension subject to the provisions contained in rule 22, for the unexpired portion of 5 years.

**8. Qualifying service.**—(1) Unless provided otherwise in these Rules, qualifying service of a member of the Service for purposes of these Rules begins from the date of his substantive appointment to the Service:

Provided that in the case of a member of the Service appointed initially on probation the period of probation shall also count as qualifying service.

(2) Any period of service under the Central or a State Government rendered by a member of the Service prior to his appointment to the Service shall count as qualifying service under these Rules to the extent to which such service would have to his appointment to the Service provided that the service is otherwise continued as qualifying service for pension under the rules applicable to him prior thereto.

Provided that if such service was temporary and was followed up by confirmation without a break, only one-half of the period of such temporary service shall count as qualifying service.

*Explanation.*—For the purpose of this sub-rule—

- (1) Leave of any kind or suspension followed by reinstatement does not constitute a break.

- (2) Service under a State Government includes the service rendered before migration into India as a result of the Partition in States which have since become part of Pakistan. Breaks in service, if any, caused at the time of such migration due to reasons beyond the control of the member of the Service may be condoned by the State Government but the period of the break or breaks will be ignored in determining the total length of qualifying service.

(3) (a) A member of the Service who was appointed to the Service against a war reserved vacancy which arose for direct recruitment before the 1st January 1948 shall count as qualifying service the completed years of his paid, whole-time, enlisted or commissioned war service satisfactorily rendered between the 3rd September, 1939 and the 1st April, 1946, if—

- (i) such service was rendered, in the case of the Indian Administrative Service after the age of 21 years and in the case of Indian Police Service, after the age of 19 years, in the Armed Forces of India or similar forces of a Commonwealth country; and
- (ii) such service did not earn a pension under the Military, Naval or Air Force Rules:

Provided that the period that can be counted as qualifying service under this sub-rule shall be subject to a maximum of 5 years.

(b) No refund of bonus or gratuity received by a member of the Service in respect of such war service shall be demanded in lieu of counting the war service as qualifying service under this sub-rule.

(4) A member of the Service who rendered war service not covered by sub-rule (3) shall count that service as qualifying service to the extent to which such service is counted as qualifying for pension under the Civil Service Regulations as applicable to members of the Central Services, Class I or under any orders that might be issued by the Central Government in this behalf.

(5) A member of the Service who prior to his appointment to the Service held a post in the General Administrative Reserve or a post under Government on a contract basis, shall have the option to count the period of his service in such post as qualifying for pension under these Rules, to the extent of half, provided that the service is otherwise continuous.

The option under this sub-rule shall be exercised within a period of three months from the date of coming into force of these Rules or within three months of appointment to the Service, whichever is later. The option, once exercised, shall be treated as final.

Where a member of the Service exercises the option to count his previous service in the General Administrative Reserve or on contract basis, the amount of Government contributions with interest thereon standing to his credit in any contributory provident fund to which he might have been admitted, shall be surrendered and credited to Consolidated Fund of the State or, as the case may be, of the Union, while the amount of his own subscriptions to that fund, if not already withdrawn, together with interest thereon, shall be transferred to his account in the All India Services Provident Fund.

Provided that in a case where the Government contributions have already been paid to the member of the Service, he shall be required to refund them with interest in a suitable number of instalments, to be prescribed by the State Government.

(6) A member of the Service who prior to his appointment to the Service held a post under Government carrying contributory provident fund benefits shall have the option to count as qualifying service the period of his service in such a post during which he actually subscribed to the contributory provident fund to the extent indicated below:

- (i) the whole of permanent service.
- (ii) the whole of the temporary or officiating service which would have qualified for pension if the provisions of Articles 370 and 371 of the Civil Service Regulations were applicable to him; and
- (iii) half of the remaining officiating or temporary service subject to the conditions indicated in the proviso to sub rule (2).

The option under this sub rule shall be exercised within a period of three months from the date of coming into force of these Rules or within three months of appointment to the Service, whichever is later. The option once exercised shall be final.

Where a member of the Service exercises the option, the amount of Government contributions together with interest thereon standing to his credit in that fund shall be surrendered and credited to the Consolidated Fund of the State or, as the case may be, of the Union, while the amount of his own subscriptions to that fund if not already withdrawn, together with interest thereon shall be transferred to his account in the All India Services Provident Fund.

Provided that in a case where the Government contributions have already been paid to the member of the Service, he shall be required to refund them with interest in a suitable number of instalments to be prescribed by the State Government.

(7) Foreign service rendered by a member of the Service shall count as qualifying service provided that contributions towards the cost of retirement benefits of the member of the Service, at such rates as the Central Government may prescribe from time to time, have been paid either by the foreign employer or, failing that, by the member of the Service himself, in respect of the entire period of foreign service, unless the payment of contributions has been waived by Government.

(8) 'Authorised Joining Time' availed of by a member of the Service, shall count as qualifying service.

(9) A fraction of a year shall not be taken into account in calculating the total qualifying service.

**3. Counting of periods of leave as qualifying service.**—(1) Any period of earned leave not exceeding 120 days in any one spell and where any one spell exceeds 120 days, the first 120 days shall count as qualifying service.

*Explanation.*—Earned leave alternating with either deputation out of India or leave on half pay shall be treated as one spell of leave and shall not be treated as two spells of earned leave.

(2) Subject to the provisions of sub-rules (3) and (4) leave with allowances shall count as qualifying service to the extent indicated below:—

if the total service of the member of the Service is not less than	he counts as qualifying service a period of leave out of India not exceeding	he counts as qualifying service a period of leave in India not exceeding
1	2	3
15 years	1 year	1 year
20 years	2 years	1 year
25 years	3 years	1 year
30 years	4 years	2 years
35 years	5 years	2 years

NOTE 1.—The periods in columns 2 and 3 are not cumulative, that is, a member of the Service may not count two years' leave in 15 years' service or more than 4 years' leave in thirty years' service. The maximum amount of leave both in and out of India which may be counted is that shown in column 2.

NOTE 2.—Total service for the purpose of column 1 of the table in this sub-rule shall be reckoned from the date of commencement of qualifying service and shall include all periods of leave but shall not include war service qualifying for pension under sub-rules (3) and (4) of rule 8.

NOTE 3.—Half pay leave commuted under rule 13 of the Leave Rules shall count as leave with allowances.

(3) Any period of special disability leave or study leave availed of by a member of the Service shall count as qualifying service.

(4) Where maternity leave availed by a member of the Service, whether alone or in combination with some other form of leave on full pay (except special disability leave) exceeds 120 days the first 120 days only of the entire spell of leave shall count as qualifying service.

(5) Leave granted by foreign employer to a member of the Service while on foreign service out of India under sub-rule (1) of rule 27 of the Leave Rules, shall be treated as leave and not as duty for purposes of computing qualifying service.

**10. Counting of periods of deputation or leave outside India for purposes of qualifying service.**—(1) Where a member of the Service is deputed out of India on duty, the whole period of his absence from India on such deputation shall count, as qualifying service.

(2) Where a member of the Service on leave out of India is employed, or is detained on duty out of India after the termination of his leave, the period of such employment or detention shall count as qualifying service:

Provided that the periods of deputation converted into leave shall count for purposes of qualifying service as leave and not as deputation.

(3) Time spent on journey to India by a member of the Service who is recalled to duty before the expiry of any duly sanctioned leave out of India counts as qualifying service.

**11. Periods not qualifying as service for pension.**—The following periods of service of a member of the Service do not count as qualifying service for pension.

- (1) Time passed under suspension by a member of the Service pending enquiry into his conduct if the suspension is not immediately followed by reinstatement.
- (2) Leave other than leave which counts as qualifying service under rule 9.
- (3) Unauthorised absence in continuation of authorised leave of absence or joining time:

Provided that where a member of the Service who has been suspended pending disciplinary proceedings regarding his conduct is reinstated, but with forfeiture of any part of his pay and allowances for the period of his suspension, such period shall count as qualifying service under these Rules only to such extent and in accordance with such directions as the Competent Authority may issue under clause (b) of sub-rule (3) of rule 9 of the All India Services (Discipline and Appeal) Rules, 1955.

**12. Interruption in service and condonation of break in service.**—(1) An interruption in the service of a member of the Service entails forfeiture of his past service except in the following cases:—

- (i) Authorised leave of absence.
- (ii) Unauthorised absence in continuation of authorised leave of absence.
- (iii) Suspension where it is immediately followed by re-instatement or where the member of the Service dies, or is permitted to retire or is retired, while under suspension.
- (iv) Time occupied in transit on transfer from one appointment to another.

(2) In a case where war service is counted as qualifying service under sub-rules (3) and (4) of rule 8, the break in such service as well as any break between such service and subsequent service in a civil post under Government shall be treated as condoned, but the period or periods of break as such shall not count as qualifying service.

**13. Invalid gratuity or pension.**—(1) Where the Government has reason to believe that a member of the Service is suffering from:

- (a) a contagious disease or
- (b) a physical or mental disability which in its opinion interferes with the efficient discharge of his duties.

It may direct him to undergo medical examination with a view to retire him from service on invalid gratuity or pension, as the case may be.

A member of the Service also may, if he feels that he is not in a fit state of health to discharge his duties, apply to the Government for retirement on invalid gratuity or pension as the case may be.

(2) An invalid gratuity or pension and death *cum* retirement gratuity where admissible shall be granted to a member of the Service who having appeared under the directions of the Government or on his own application before a duly constituted Medical Board, is certified by that Medical Board, by bodily or mental infirmity, to be permanently incapacitated for further service.

(3) The medical certificate of incapacity shall be attested:—

(a) if the member of the Service is on leave out of India, by a Medical Board to be convened for the purpose by the Indian Mission in the country in which the member of the Service is on leave;

(b) in other cases, by the Medical Board to be convened by the Chief Administrative Medical Officer of the State in which the member of the Service is on duty or on leave. The Chief Administrative Medical Officer shall, wherever practicable, preside over such a Board.

(4) Save where he is on leave out of India no member of the Service shall apply for a medical certificate of incapacity and no such certificate shall be granted unless—

(a) the applicant produces evidence to show that the Government is aware of his intention to appear before the Chief Administrative Medical Officer; and

(b) the Chief Administrative Medical Officer is informed about the age of the applicant as recorded in his history of services and is supplied with a statement of the leave taken by him during the three years immediately preceding and of the history of the medical case and the treatment adopted, as far as possible.

(5) If the Medical Board, although unable to discover any specific disease in the member of the Service, considers him incapacitated for further service by general debility while still under the age of fifty-five years, it shall give detailed reasons for its opinion. Wherever possible, a second medical opinion shall in such cases be obtained.

NOTE.—In a case of this kind a statement giving the grounds on which it is proposed to invalid a member of the Service shall be forwarded to the Medical Board by the Government under whom he is serving.

(6) A certificate that inefficiency is due to old age or natural decay from advancing years shall not be deemed to be sufficient for retiring a member of the Service on invalid gratuity or pension.

(7) The Medical Certificate shall be in the form set forth in Schedule 'C'.

**14. Restrictions on the grant of invalid gratuity or pension.**—(1) A member of the Service who is discharged from the Service on grounds other than those specified in rule 13 shall have no claim to invalid gratuity or pension or death *cum* retirement gratuity even though he produces medical evidence of incapacity for Service.

(2) If the incapacity is directly due to irregular or intemperate habits, no invalid gratuity or pension or death *cum* retirement gratuity shall be granted to a member of the Service. If it has not been directly caused by such habits but has been accelerated or aggravated by them it shall be for the Central Government to decide what reduction, if any, shall be made on this account in the retirement benefits otherwise admissible.

NOTE.—(1) The mere fact that a member of the Service has suffered from syphilis, taken by itself, is not sufficient to bring his case under the operation of this rule.

(2) Unsoundness of mind caused by drug habits shall be taken as sufficient to bring his case under the operation of this rule.

(3) The expression "irregular or intemperate habits" occurring in this rule refers to incapacity on account of drug habits or on account of diseases resulting from immoral habits. Cases where incapacity was due to other causes, e.g., work at irregular hours during war and after, due to exigencies of service and not due to own volition, do not come under the purview of this rule.

**15. Retirement from service of a member of the Service in certain cases and grant of leave.**—(1) A member of the Service who has been declared by a Medical Board to be permanently incapacitated for further service shall, if he is on duty, be invalided from service from the date of relief which shall be arranged without delay on receipt of the report of the Medical Board or, if he is granted leave under sub-rule (2), on the expiry of such leave:

Provided that if he is on leave at the time of receipt of the report of the Medical Board, he shall be invalided from service on the expiry of that leave or extension of leave, if any, granted to him under sub-rule (2).

(2) A member of the Service in respect of whom a Medical Board has reported that there is no reasonable prospect of his ever being fit to return to duty, may not be granted leave except as follows:—

- (a) If the Medical Board is unable to say with certainty that the member of the Service will never again be fit for service, leave not exceeding 12 months in all may be granted to him. Such leave shall not be extended without further reference to a Medical Board.
- (b) If a member of the Service has been declared by the Medical Board to be completely and permanently incapacitated for further service, leave or an extension of leave may be granted to him after the report of the Medical Board has been received, provided that the amount of leave so granted, together with any period of duty beyond the date on which the Medical Board signed their report, shall not exceed 6 months

**16. Superannuation gratuity or pension.**—(1) A member of the Service shall be required compulsorily to retire from the service with effect from the date on which he attains the age of 55 years:

Provided that he may be retained in service after the date of compulsory retirement on public grounds which shall be recorded in writing—

- (a) for an aggregate period not exceeding six months by the State Government; and
- (b) for any period beyond six months, with the sanction of the Central Government;

Provided further that a member of the Service shall not be retained in service beyond the age of 60 years except in very special circumstances.

(2) A member of the Service under suspension on a charge of misconduct shall not be required or permitted to retire from the service, but shall be retained in service until the enquiry into the charges against him is concluded and a final order is passed.

(3) Where a member of the Service is granted any leave under rule 9 of the Leave Rules, which extends beyond the date on which he must compulsorily retire, the grant of such leave shall automatically carry with it an extension of service for the period of such leave.

(4) A superannuation gratuity or pension shall be granted to a member of the Service who is required to retire under sub-rule (1) of this rule.

**17. Retiring Pension.**—(1) A member of the Service who has completed 30 years of qualifying service may retire from the service after giving at least three months' previous notice in writing to the State Government.

(2) The State Government may, with the approval of the Central Government and after giving him at least three months' previous notice in writing, require a member of the Service who has completed 30 years of qualifying service to retire from service.

(3) A retiring pension and death-cum-retirement gratuity, shall be granted to a member of the Service who retires under sub-rule (1) or who is retired under sub-rule (2).

**18. Amount of Gratuity or Pension.**—The amount of invalid, superannuation or retiring pension or gratuity admissible under rule 13, 16 or 17 shall be on the scale prescribed in column 2 of Schedule A subject to the maximum amount specified in column 3 or column 4 as may be applicable.

**19. Death cum retirement gratuity.**—(1) Subject to the provisions of rule 14 a member of the Service who retires or is retired under rule 13, 16 or 17 and has on the date of such retirement completed 5 years' qualifying service may be granted a death cum retirement gratuity not exceeding the amount specified in sub-rule (3).

(2) If a member of the Service who has completed 5 years' qualifying service dies while in service, a death cum retirement gratuity not exceeding the amount specified in sub-rule (3) may be paid to the person or persons on whom the right to receive such gratuity is conferred under rule 21 and, if there is no such person, it may be paid in the manner indicated below:

(i) If there are one or more surviving members of the family as in items (i), (ii) and (iii) of sub-rule (1) of rule 21, it may be paid to all such members, other than any such member who is a widowed daughter, in equal shares.

(ii) If there are no such surviving members of the family as in clause (i) above, but there are one or more surviving widowed daughters and/or one or more surviving members of the family as in items (iv), (v) and (vi) of sub-rule (1) of rule 21, it may be paid to all such members, in equal shares.

(3) (a) The death-cum-retirement gratuity shall be paid on the scale prescribed in column 2 of Schedule 'B', subject to the maximum of 15 times the emoluments and also to the maximum amount specified in column 3 or column 4, as may be applicable, of that Schedule:

Provided that in the event of death of a member of the Service, while in service, the death-cum-retirement gratuity shall be subject to a minimum of 12 times his emoluments at the time of death;

(b) If a member of the Service who has become eligible for gratuity or pension dies after he has retired from the Service, and the sums to which he had become entitled at the time of his death on account of such gratuity or pension together with the death cum retirement gratuity granted under sub-rule (1) and the commuted value of any portion of pension commuted by him are less than an amount equal to 12 times his emoluments, a gratuity equal to the deficiency may be granted to the person or persons specified in sub-rule (2).

**NOTE.**—The term 'emoluments' occurring in this sub-rule is, in the case of members of the Service other than the members of the Indian Police Service who retired or died before 17th April, 1956, subject to a maximum of Rs. 1800/- per mensem and in the case of the latter is subject to a maximum of Rs. 1500/- per mensem.

**20. Conditions for grant of Retirement Benefits.**—(1) The full retirement benefits admissible under these rules shall not be given as a matter of course or unless the service has been thoroughly satisfactory.

(2) If the service has not been thoroughly satisfactory, a reduction in the amount of retirement benefits otherwise admissible under these Rules may be made by the Central Government on the recommendation of the State Government to such extent as the Central Government may deem appropriate.

Provided that the retirement benefits once granted shall not be reduced on the ground that proof of the service not having been thoroughly satisfactory became available after the sanction.

(3) Any case in which retirement benefits or compassionate allowance has been sanctioned shall not unless there are special grounds for doing so be reopened on the ground that the amount sanctioned is less than the maximum admissible under these rules.

**NOTE 1.**—This rule shall not be used directly to effect a penal recovery but Government shall be justified in making proof of a specific

instance of fraud or negligence on the part of a member of the Service, the ground for a finding that his service has not been thoroughly satisfactory within the meaning of this rule for the purpose of reducing his retirement benefits.

NOTE 2.—The measure of the reduction in the amount of retirement benefits made under this rule shall be to the extent by which the service of the member of the Service as a whole failed to reach a thoroughly satisfactory standard and the reduction in the amount of retirement benefits shall not be equated with the amount of loss to Government on account of negligence or fraud of the member of the Service.

NOTE 3.—This rule contemplates permanent reduction in the amount of retirement benefits ordinarily admissible and does not admit of the reduction of pension payable in respect of any one particular year.

**21. Nominations.**—(1) For the purpose of this rule—

(a) “family” shall include the following relatives of the member of the Service:—

- (i) wife or husband;
- (ii) sons;
- (iii) unmarried and widowed daughters;
- (iv) brothers below the age of 18 years; and unmarried or widowed sisters;
- (v) father, and
- (vi) mother.

NOTE 1.—Items (ii) and (iii) will include step children.

NOTE 2.—An adopted son or an adopted daughter may be treated as son or daughter for the purpose of this rule provided that the Accounts Officer, or if any doubt arises in the mind of the Accounts Officer, the Solicitor to the State Government, is satisfied that under the personal law of the member of the Service adoption is legally recognized as conferring the status of a natural child.

(b) ‘person’ shall include any company or association or body of individuals whether incorporated or not.

(2) A member of the Service shall, soon after confirmation in the Service, make a nomination conferring on one or more persons the right to receive the death-cum-retirement gratuity that may be sanctioned under sub-rule (2) or clause (b) of sub-rule (3) of rule 19 and any gratuity, which having become admissible to him under rule 18, had not been paid to him before his death.

Provided that:

- (i) if at the time of making the nomination, the member of the Service has a family, the nomination shall not be in favour of any person or persons other than the members of his family, and
  - (ii) where the member of the Service has only one member in his family in whose favour the original nomination should be made the alternate nomination can be made in favour of any person who is not a member of his family or in favour of a body of persons corporate or incorporate.
- (3) If a member of the Service nominates more than one person under sub-rule (2), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole amount of death gratuity.

(4) A member of the Service may provide in a nomination—

- (a) in respect of any specified nominee that in the event of his predeceasing the member of the Service, the right conferred upon that nominee shall pass to such other person as may be specified in the nomination;

Provided that if at the time of making the nomination, the member of the Service has a family consisting of more than one member, the person to be specified shall not be a person other than a member of his family; and

- (b) that the nomination shall become invalid in the event of the happening of a contingency specified therein.

(b) The nomination made by a member of the Service who has no family at the time of making it, or a provision made in a nomination under clause (a) of sub-rule (4) by a member of the Service whose family consists, at the time of making the nomination, of only one member, shall become invalid in the event of the member of the Service subsequently acquiring a family or an additional member in the family, as the case may be.

(6) Every nomination shall be in such one of the forms given in the Schedules D to G, as may be appropriate in the circumstances of the case.

(7) (a) A member of the Service may at any time cancel a nomination by sending a notice in writing to his Accounts Officer;

Provided that the member of the Service shall along with such notice send a fresh nomination made in accordance with this rule.

(b) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (4) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of that sub-rule or sub-rule (5), a member of the Service shall send to his Accounts Officer a notice in writing formally cancelling the nomination together with a fresh nomination made in accordance with this rule.

(8) Every nomination made and every notice of cancellation given by a member of the Service under this rule shall be sent by him to his Accounts Officer.

(9) Every nomination made and every notice of cancellation given by a member of the Service shall, to the extent that it is valid, take effect on the date on which it is received by the Accounts Officer.

**22. Family Pension.**—(1) A family pension not exceeding the amount specified in sub-rule (3) may be granted to the family of a member of the Service in the event of his death after he had completed 20 years' qualifying service.

Provided that, in exceptional circumstances, the Central Government may also grant a family pension to the family of a member of the Service who may die after completing less than 20 years' qualifying service but not less than 10 years' qualifying service.

(2) The total period for which a family pension may be paid shall be 10 years.

Provided that the period of payment of family pension shall in no case extend beyond a period of 5 years from the date on which the member of the Service actually retired, or on which he would have retired on superannuation pension in the normal course, according as the death takes place after retirement or while the member of the Service was in service.

Note.—In the case of a member of the Service who dies while on extension of service, the expression "date on which he would have retired on superannuation pension in the normal course" in the above proviso shall mean the date up to which extension of service had been sanctioned to him before his death.

(3) Subject to the maximum of Rs. 150 per mensem the amount of family pension shall be—

(a) in the event of death while in service, half the pension admissible to a member of the Service had he retired on a superannuation pension on the date following the date of death;

(b) in the event of death after retirement, half the pension sanctioned for him at the time of retirement.

If, however, a member of the Service mentioned in clause (b) has commuted a part of his pension before his death, that part of pension shall be deducted from the family pension calculated as above.

(4) "Family" for the purpose of this rule shall have the same meaning as in sub-rule (1) of rule 21.

(5) No family pension shall be payable under this rule—

- (a) to a person mentioned in clause (b) of sub-rule (6) without the production of reasonable proof that the person was dependent on the member of the Service for support;
- (b) to an unmarried woman member of the family of the member of the Service, in the event of her marriage;
- (c) to a widowed woman member of the family of the member of the Service, in the event of her remarriage;
- (d) to a brother of a member of the Service, on the former attaining the age of 18 years; and
- (e) to a person who is not a member of the family of the member of the Service.

(6) Except as may otherwise be provided by a nomination under sub-rule (7)—

(a) a family pension under this rule shall be allowed—

- (i) to the eldest surviving widow if the deceased was a male member of the Service or to the husband if the deceased was a woman member of the Service;

*Explanation.*—The expression 'eldest surviving widow' shall be construed with reference to the seniority according to the date of the marriage with the member of the Service and not with reference to the ages of the surviving widows;

- (ii) failing a widow or husband, as the case may be, to the eldest surviving son;
- (iii) failing (i) and (ii), to the eldest surviving unmarried daughter;
- (iv) failing the above, to the eldest widowed daughter; and
- (b) in the event of no family pension becoming payable under clause (a), family pension may be granted—
  - (i) to the father;
  - (ii) failing (i) above, to the mother;
  - (iii) failing (i) and (ii) above, to the eldest surviving brother below the age of 18.
  - (iv) failing (i) to (iii) above, to the eldest surviving unmarried sister;
  - (v) failing (i) to (iv) above, to the eldest surviving widowed sister.

(7) If a member of the Service who has completed 10 years' service desires that any family pension that may be sanctioned under this rule should be payable to any member of his family in any order to be specified by him, he may make a nomination for the purpose in the form given in Schedule A indicating the order in which the family pension should be payable to the members of his family and to the extent that it is valid, the family pension shall be payable in accordance with such nomination provided the persons concerned satisfy the requirements of sub-rule (5) at the time of the grant of such pension. In case the person concerned does not satisfy the requirements of sub-rule (5), the family pension shall be granted to the person next lower in that order.

**NOTE.**—The provisions of clause (b) of sub-rule (7), sub-rule (8) and sub-rule (9) of rule 21 shall apply in respect of nominations made under this sub-rule also

(8) (a) A family pension sanctioned under this rule shall not be payable to more than one member of the family of the member of the Service at the same time.

(b) If a family pension sanctioned under this rule ceases to be payable before the expiry of the period mentioned in sub-rule (2) on account of the death or marriage of the recipient or other causes, it shall be regranted for the unexpired portion of that period to a person next lower in the order shown in the nomination made under sub-rule (7) or in the absence of a nomination, to the person in the order mentioned in sub-rule (6), who satisfies the other provisions of this rule.

(9) A family pension sanctioned under this rule shall be tenable in addition to any compensation or any extraordinary pension or gratuity that may be granted to the member of the pensioner's family under the existing Rules or Acts.

(10) Future good conduct of the recipient is an implied condition of every grant of a family pension under this rule and the Central Government reserves to itself the right of withholding or withdrawing such pension or any part of it, if the recipient be convicted of serious crime or is guilty of grave misconduct and the Central Government's decision in the matter shall be final.

**23. Emoluments for purposes of calculation of Gratuity/Pension and Death-cum-Retirement Gratuity.**—(1) The term 'emoluments' used in these Rules shall be taken to mean the emoluments which the member of the Service was receiving immediately before his retirement or death as the case may be and shall include:—

- (a) substantive pay other than pay drawn in a tenure post;
- (b) personal pay granted in lieu of loss of substantive pay in respect of a permanent post other than a tenure post and, if so directed by the Central Government, personal pay granted on any other personal consideration;
- (c) special pay including that drawn in a tenure post, if—
  - (i) Where the special pay is granted for a specific addition to work or responsibility, no post carrying such work or responsibility has been sanctioned; or
  - (ii) where it is allowed in respect of a temporary appointment outside the ordinary line, the temporary appointment is not of a like character to any of the existing permanent appointments.
- (d) officiating pay in a post which is substantively vacant and on which no officer holds a lien or in any post temporarily vacant in consequence of the absence of the permanent incumbent on leave without allowances or on transfer to foreign service;
- (e) such other pay or allowance which the Central Government may by general or special order classify as emoluments for the purpose of this rule.

(2) In the case of a member of the Service who is officiating in another permanent post which is substantively vacant "emoluments" means

- (i) the emoluments which would be taken into account under this rule in respect of the appointment in which he officiates, or
- (ii) the emoluments which would have been taken into account under this rule had he remained in his substantive appointment.

whichever are more favourable to him.

(3) The monetary allowance attached to the King's Police Medal and the Indian Police Medal shall not be treated as forming part of the emoluments of the recipient for the purposes of this rule.

(4) The term 'average emoluments' means the average of the emoluments drawn during the last three years of service.

**NOTE.**—(i) If during the last three years of his service, a member of the Service has been absent on leave with allowances or having been suspended, has been re-instated without forfeiture of service, his emoluments for the purposes of ascertaining the average should be taken at what they would have been had he not been absent from duty or suspended.

- (ii) If during the last three years of his service a member of the Service has been absent from duty on leave without allowances (not counting for pension) or suspended under such circumstances that the period so passed does not count as qualifying service, the period of such leave or suspension shall be disregarded in the calculation of the average, an equal period before the three years being included.
- (iii) In the case of a member of the Service who, while on leave preparatory to retirement, is confirmed in the higher post which he held in an officiating or temporary capacity before proceeding on such leave, his substantive emoluments in the higher post, which he would have drawn had he been on duty, shall be taken into account for the purpose of calculation of his average emoluments.
- (iv) Except as provided in clauses (a), (b) and (c) above, only emoluments actually received shall be included in the calculation. For

example, where a member of the Service is allowed to count time retrospectively towards increase of pay but does not receive retrospectively the intermediate periodical increments, these intermediate increments shall not be reckoned in the calculation of average emoluments.

- (v) Periods of joining time which fall within the last three years of service of a member of the Service shall form part of the three years for the purpose of average emoluments.
- (vi) Where the emoluments of a member of the Service have been reduced during the last three years of his service, otherwise than as a penalty, average emoluments, may, at the discretion of Government, be substituted for emoluments for the purpose of calculation of the gratuity or death-cum-retirement gratuity admissible under rule 18 or rule 19.

**24. Counting emoluments drawn in a post which carries a pay higher than the substantive pay.**—In the case of a member of the Service who quits service on an invalid, superannuation and retiring pension or invalid gratuity and who during the period from the 1st January, 1948, to the 31st December, 1962 holds or has held before retirement a permanent post in a provisionally substantive or officiating capacity, or a temporary post in a substantive or officiating capacity, where such post carries a rate of pay higher than his substantive pay but the increase over substantive pay does not count for pension or gratuity or death-cum-retirement gratuity under clause (d) of rule 23 of these Rules:—

- (i) his average emoluments for pension as calculated with reference to rule 23 shall be increased—

either

- (a) by one-half of the difference between the average emoluments so calculated and the average emoluments which would result if such post or posts were permanent and he had held them substantively for the period of service rendered in the higher post or posts between the 1st January, 1948 and 31st December, 1962.

or

- (b) by thirty-three and one-third per cent, whichever is less.

- (ii) The death-cum-retirement gratuity and gratuity where admissible, calculated on the basis of emoluments reckoned with reference to rule 23 shall be increased—

either

- (a) by one-half of the difference between the amount so calculated and the amount which would have been arrived at as if such post or posts was permanent and he had held them substantively;

or

- (b) by thirty-three and one-third per cent, whichever is less.

Provided that the increase referred to in clauses (i) and (ii) shall be allowed only to such member of the Service as had held continuously a higher post or posts

- (a) for a period of not less than two complete years immediately before the date of his retirement

or

- (b) for two or more spells during the last three years of his service, the last spell covering a period of two years or more, in which case the concession shall be admissible in respect of all the spells.

**NOTE.**—(1) For the purposes of clauses (i) and (ii) all kinds of leave taken during the last two years of service shall be included in the two-year period, if it is certified that the member of the Service would have continued to hold the higher post or posts if he had not proceeded on leave.

- (2) In the case of a member of the Service who while continuously holding a higher post or posts is confirmed in a higher post, the period after confirmation may, where necessary, be included in the prescribed period of two years.
- (3) So long as a member of the Service holds a post higher than his substantive post for two complete years immediately before the date of his retirement, it is not necessary that he should have held the same higher post throughout that period.
- (iii) The concession allowed by this rule shall be admissible during a period of leave also provided that the member of the Service had continuously held a higher post or posts for two complete years immediately before proceeding on leave and it is certified that he would have continued to hold that post for the entire period if he had not proceeded on leave. For the purposes of reckoning the two-year period, any spells of leave (including commuted leave and extraordinary leave) not exceeding four months at a time shall not constitute an interruption of duty.
- (iv) The pension of a member of the Service who retired on or after the 29th October, 1951, shall be revised in accordance with clause (i) but the increased pension shall have effect only from the 1st August, 1952.
- (v) From the increase in the amount of gratuity admissible under clause (ii) of this rule over the amount admissible calculated on the basis of emoluments reckoned with reference to rule 23, shall be deducted a sum, in respect of the period between the date of retirement and the 1st August, 1952, calculated at the rate of the monthly pension equivalent to the amount of increase on the basis of the communication regulations framed by the Central Government under rule 25, with reference to the age next birthday after retirement.
- (vi) Special pay which does not count as emoluments under rule 23 in view of the restrictions in sub-clauses (i) and (ii) of clause (c) of sub-rule, (1) thereof shall be treated as 'officiating pay' or 'pay drawn in a temporary post', as the case may be, for the purpose of benefits under this rule.

**25. Commutation of pension.**—A member of the Service may commute his pension under such conditions and to such extent as may be prescribed by Regulations made in this behalf by the Central Government after consultation with the Governments of the States.

**26. Acceptance of employment after retirement.**—(1) A pensioner shall not accept any commercial employment before the expiry of two years from the date of his retirement, except with the previous sanction of the Central Government. No pension shall be payable to a pensioner who accepts a commercial employment without such sanction in respect of any period for which he is so employed or for such longer period as the Central Government may determine:

Provided that a pensioner who has been permitted by the Central Government to take up a particular commercial employment during leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

*Explanation.*—(1) "Commercial employment" means employment in any capacity including that of an agent, under a company, firm, or individual, engaged in trading, commercial, industrial, financial or professional business, and includes a directorship of such company and a partnership in such firm.

*Explanation.*—(2) For the purpose of this sub-rule the expression "the date of retirement" in relation to a pensioner re-employed after retirement, without any break either in a Class I post under the Central Government or in an equivalent post under a State Government, shall mean the date on which such pensioner finally ceases to be so re-employed in Government service.

(2) A pensioner shall not accept any employment under a Government outside India, except with the previous sanction of the Central Government. No pension shall be payable to a pensioner who accepts such an employment without such sanction in respect of any period for which he is so employed or for such longer period as the Central Government may determine —

Provided that a pensioner who has been permitted by the Central Government to take up a particular employment under a Government outside India during his leave preparatory to retirement shall not be required to obtain subsequent permission for continuance in such employment

NOTE—"Employment under a Government outside India" shall include employment under a local authority or corporation or any other institution or organisation which functions under the supervision or control of a Government outside India

**27 Anticipatory payments.**—(1) Where a member of the Service is likely to retire before his pension can be finally assessed and settled in accordance with these rules, the Accounts Officer shall sanction the disbursement to him of pension to which, after the most careful summary investigation that the Accounts Officer can make without delay, he believes the member of the Service to be entitled, on the basis of his verified qualifying service, provided that such disbursement shall be made only after the declaration specified in Schedule 'I' has been signed by the retiring member of the Service

(2) If the Accounts Officer considers it likely that, in a case contemplated under sub-rule (1), the member of the Service would be entitled to gratuity only, one-sixth of the amount of gratuity which, after the most careful summary investigation that the Accounts Officer can make without delay, he believes the member of the Service to be entitled shall, upon a similar declaration, be disbursed to him monthly until the amount is finally settled or for six months, whichever period is less

(3) The payment of the anticipatory pension or gratuity shall be so arranged that it is not delayed beyond the first day of the month following the month in which the member of the Service is due to retire

(4) If, upon the completion of regular investigation, it be found that the pension thus summarily assigned differs from the pension finally settled, the difference shall be adjusted in the first payment after such final settlement

Provided that if a gratuity summarily assigned under sub rule (2) proves to be larger than the amount finally settled, the retired member of the Service shall not be required to refund any excess actually paid to him unless otherwise decided by the State Government

(5) Subject to the general conditions prescribed above, the anticipatory payments of death-cum-retirement gratuity and family pension may also be sanctioned to the extent of 3/4ths of the amounts clearly admissible on the basis of the qualifying service as verified upto the date of sanction, and after a declaration in the form given in Schedule 'I' has been signed by the recipient

**28 Miscellaneous.**—(1) Retirement benefits under these Rules shall be calculated to the nearest multiple of 5 naye paise

Provided that the retirement benefits in respect of a member of the Service who retired prior to the 1st April, 1957 shall be calculated to the nearest anna, that is, where the exact amount works out to six pies or more, it shall be taken to the next higher anna, amounts below six pies being disregarded

(2) The retirement benefits under these Rules shall be drawn in rupees in India only

(3) Applications for the grant of retirement benefits under these Rules shall be made in such form as may be prescribed by the Central Government

(4) The sanction and payment of retirement benefits admissible under these Rules shall be regulated by such procedural instructions as may be issued by the Central Government

(5) A pension under these Rules shall be payable from the date on which the member of the Service quits service or from the date of his application for pension whichever is later:

Provided that where satisfactory explanation is forthcoming for the delay in making an application for pension, the State Government may allow the pension to take effect from the date on which the member of the Service quit service.

(6) The claim of a member of the Service to the retirement benefits shall be regulated by the rules in force at the time when the member of the Service resigns, retires or is retired or discharged from service or where the member of the Service dies while in service immediately before death.

(7) The authorities competent to retire a member of the Service on different kinds of retirement benefits shall be those indicated in Schedule J.

**29. Interpretation.**—If any question arises relating to the interpretation of these Rules, it shall be referred to the Central Government whose decision thereon shall be final.

**30. Repeal.**—All rules corresponding to these rules in force immediately before the commencement of these rules are hereby repealed.

#### SCHEDULE A

##### *Gratuity or Pension*

Completed years of qualifying service <sup>1</sup>	Scale of gratuity or pension	Maximum gratuity or pension (per annum)	
		Members of the Service other than those specified in Column 4 <sup>2</sup>	Members of the Indian Police Service who retired before 17th April, 1956
1	2	3	4
<i>(a) Gratuity</i>			
1. 1 month's emoluments			
2. 2       "       "			
3. 3       "       "			
4. 4       "       "			
5. 4½     "       "			
6. 5       "       "			
7. 6       "       "			
8. 7       "       "			
9. 7½     "       "			
<i>(b) Pension</i>			
10. 10/80ths of average emoluments . . . . .		2700	2250
11. 11/80ths       "       " . . . . .		2970	2475
12. 12/80ths       "       " . . . . .		3240	2700
13. 13/80ths       "       " . . . . .		3510	2925
14. 14/80ths       "       " . . . . .		3780	3150
15. 15/80ths       "       " . . . . .		4050	3375
16. 16/80ths       "       " . . . . .		4320	3600
17. 17/80ths       "       " . . . . .		4590	3825
18. 18/80ths       "       " . . . . .		4860	4050
19. 19/80ths       "       " . . . . .		5130	4275
20. 20/80ths       "       " . . . . .		5400	4500
21. 21/80ths       "       " . . . . .		5670	4725
22. 22/80ths       "       " . . . . .		5940	4950
23. 23/80ths       "       " . . . . .		6210	5175
24. 24/80ths       "       " . . . . .		6480	5400
25. 25/80ths       "       " . . . . .		6750	5625
26. 26/80ths       "       " . . . . .		7020	5850
27. 27/80ths       "       " . . . . .		7290	6075
28. 28/80ths       "       " . . . . .		7560	6300
29. 29/80ths       "       " . . . . .		7830	6525
30. 30/80ths       "       " . . . . .		8100	6750
and above.			

## SCHEDULE B

*Death cum Retirement Gratuity*

Completed years of qualifying service	Scale of Death <i>cum</i> Retirement Gratuity			Maximum Death <i>cum</i> Retirement Gratuity	
				Members of the Service other than those specified in column 4	Members of the Indian Police Service who retired before 17th April, 1956
1	2			3	4
1.					
2.					
3.					
4.					
5.	5	times	9/20 of emoluments	4,050	3,375
6.	6	"	"	4,860	4,050
7.	7	"	"	5,670	4,725
8.	8	"	"	6,480	5,400
9.	9	"	"	7,290	6,075
10.	10	"	"	8,100	6,750
11.	11	"	"	8,910	7,425
12.	12	"	"	9,720	8,100
13.	13	"	"	10,530	8,775
14.	14	"	"	11,340	9,450
15.	15	"	"	12,150	10,125
16.	16	"	"	12,960	10,800
17.	17	"	"	13,770	11,475
18.	18	"	"	14,580	12,150
19.	19	"	"	15,390	12,825
20.	20	"	"	16,200	13,500
21.	21	"	"	17,010	14,175
22.	22	"	"	17,820	14,850
23.	23	"	"	18,630	15,525
24.	24	"	"	19,440	16,200
25.	25	"	"	20,250	16,875
26.	26	"	"	21,060	17,550
27.	27	"	"	21,870	18,225
28.	28	"	"	22,680	18,900
29.	29	"	"	23,490	19,575
30.	30	"	"	24,000	20,250
31.	31	"	"	24,000	20,925
32.	32	"	"	24,000	21,600
33.	33	"	"	24,000	22,275
34.	15	times of emoluments and above		24,000	22,500

## SCHEDULE C

(a) *Form of Medical Certificate in India.*

The form of the certificate to be given respecting a member of the Service in India is as follows:—

"Certified that we have carefully examined A. B., son of C. D. .... holding the post of ..... under the Government ..... His age is by his own statement ..... years, and by appearance about ..... years, we consider A. B. to be completely and permanently incapacitated for further service of any kind in the Indian Administrative Service/Indian Police

Service in consequence of (here state disease or cause). His incapacity does not appear to us to have been caused by irregular or intemperate habits."

**NOTE.**—(If the incapacity is obviously the result of intemperance, substitute for the last sentence: "In our opinion his incapacity is the result of irregular or intemperate habits.").

(If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made:). "We are of opinion that A B, is fit for further service of a less laborious character than that which he has been doing (or may, after resting for.....months, be fit for further service of a less laborious character than that which he has been doing).

(b) *Form of Medical Certificate in countries outside India.*

The form of the medical certificate given by the Medical Board attached to the Indian Mission abroad in respect of a member of the Service in a station outside India is as follows:—

"We have carefully examined AB.....Taking into account all the facts of the case as well as his present condition, we consider that AB, is permanently incapacitated for further service in India.

**NOTE.**—(If the incapacity is obviously the result of intemperance, substitute following sentence at the end:—

"In our opinion his incapacity is the result of irregular or intemperate habits.").

SCHEDULE D

(*Nomination for Death cum retirement Gratuity*)

(When the member of the Service has a family and wishes to nominate one member thereof.)

I hereby nominate the person mentioned below, who is a member of my family and confer on him the right to receive any death *cum* retirement gratuity that may be sanctioned by State Government in the event of my death, while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Name and address of nominee	Relationship with the member of the Service	Age	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the member of the Service.
-----------------------------	---	-----	--	---

Dated this.....day of.....195 , at.....

Witnesses to signature.

1.....

2.....

Signature of the member of the Service.

## SCHEDULE E

*Nomination for Death-Cum-Retirement Gratuity*

(When the member of the Service has a family and wishes to nominate more than one member thereof)

I hereby nominate the persons mentioned below, who are members of my family, and confer on them the right to receive, to the extent specified below, any death *cum* retirement gratuity that may be sanctioned by State Government in the event of my death while in service and the right to receive on my death, to the extent specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death :—

Name and address of nominees	Relationship with the member of the service.	Age	Amount or share of gratuity payable * to each *	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person, if any, to whom the right conferred on the nominee shall pass in the event of nominee predeceasing the member of the Service.
------------------------------	--	-----	---	--	---

Dated this.....day of.....195 , at.....

Witnesses to signature

1.....

.....

Signature of the member of the Service.

2.....

\*This column should be filled in so as to cover the whole amount of gratuity.

N.B.— The member of the Service should draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

SCHEDULE F

*Nomination for Death-cum-Retirement Gratuity.*

(When the member of the Service has no family and wishes to nominate one person)

I, having no family, hereby nominate the person mentioned below and confer on him the right to receive any death *Cum* retirement gratuity that may be sanctioned by State Government in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Name and address of nominee	Relationship with the member of the Service.	Age	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person, if any to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the member of the Service.
-----------------------------	--	-----	--	--

Dated this.....day of.....195 , at.....

Witnesses to signature,

1.....

Signature of the member of the Service.

2.....

## SCHEDULE G

*(Nomination for Death-cum-Retirement Gratuity)*

(When the member of the service has no family and wishes to nominate more than one person.)

I, having no family, hereby nominate the persons mentioned below and confer on them the right to receive to the extent specified below, any death *cum* retirement gratuity that may be sanctioned by State Government in the event of my death while in service and the right to receive on my death, to the extent specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Name and address of nominees	Relationship with the member of the Service	Age	Amount or share of gratuity payable to each*	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the member of the Service.
------------------------------	---	-----	--	---	---

Dated this..... Day of..... 195 , at.....

Witnesses to signature

1..... Signature of the member of the Service  
2.....

\*This column should be filled in so as to cover the whole amount of gratuity.

N. B. The member of the Service should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.

## SCHEDULE H.

*Nomination for Family pension*

I hereby nominate the persons mentioned below, who are members of my family, to receive in the order shown below the family pension which may be granted by State Government in the event of my death after completion of 10 years' qualifying service.

Name and address of nominee	Relationship with the member of the Service.	Age	Whether married or unmarried.
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Dated this.... day of..... 195 , at.....

Witnesses to Signature

1. .... Signature of the member of the Service.

2. ....

*N B.* The member of the Service should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.

## SCHEDULE 'I

## Declaration Form

Whereas the.....(here state the designation of the officer sanctioning the advance) has consented provisionally, to advance to me the sum of Rs.....a month/Rs.....in anticipation of the completion of the enquiries necessary to enable the Government to fix the amount of gratuity/pension/death-cum-retirement gratuity/family pension, payable to me \*(as the nominee/legal heir of Shri.....).

I hereby acknowledge that, in accepting this advance I fully understand that any gratuity/pension/death-cum-retirement gratuity/family pension payable to me is subject to revision on the completion of the necessary formal enquiries and I promise to base no objection to such revision on the ground that the provisional gratuity/pension/death-cum-retirement gratuity/family pension now to be paid to me exceeds the gratuity/pension/death-cum-retirement gratuity/family pension which may be finally sanctioned to me. I further promise to repay any amount advanced to me in excess of the gratuity/pension/death-cum-retirement gratuity/family pension that may be finally sanctioned to me.

Signature.....

Designation (if a Government servant).....

Station.....

Date.....

Witnesses to signature  
(with address).

1. ....
2. ....

\*NOTE.—The words in brackets may be omitted where inapplicable.

## SCHEDULE J

*Authorities Competent to retire a Member of the Service on Various Kinds of Retirement Benefits*

Nature of Retirement Benefits	Authority Competent to Retire
1	2
(i) Proportionate pension under rule 7 and death cum retirement gratuity where admissible.	Central Government.
(ii) Invalid gratuity or pension under rule 13 and death cum retirement gratuity where admissible.	State Government after obtaining the concurrence of the Central Government.
(iii) Superannuation gratuity or pension under rule 16 and death cum retirement gratuity where admissible.	State Government.
(iv) Retiring pension under rule 17 and Death cum Retirement gratuity.	State Government after obtaining the concurrence of the Central Government.
(v) Family Pension under rule 22 and death cum retirement gratuity where admissible.	State Government.

[No. 1/4/55-AIS(III).]

V. VISWANATHAN,  
Special Secretary.